

November 1, 1999

The Randolph County Board of Commissioners met in regular session at 4:00 p.m. in the Commissioners Meeting Room, County Office Building, 725 McDowell Road, Asheboro, NC. Commissioners Frye, Kemp, Davis, Holmes, and Mason were present. Rev. William Thompson, Chaplain at NC Department of Corrections, Asheboro, gave the invocation, after which everyone recited the Pledge of Allegiance.

Additions to the Agenda

Item H. Adopt Resolution Supporting Legislation to Display the Ten Commandments in the Schools was added to the consent agenda; Item E. Cooperative Extension was added to budget amendments.

Consent Agenda

On motion of Mason, seconded by Holmes, the Board unanimously approved the consent agenda, as follows:

- *Approve Minutes of October 4, 1999;*
- *Appoint Charles Allen as Outside Member (Currently Alternate) and Appoint Cathy Hayes as Alternate Outside Member on the Randleman Planning and Zoning Board (Three-Year Terms);*
- *Adopt Proclamation for Home & Hospice Care Month, as follows:*
***WHEREAS**, in-home health, hospice, and community-based services provide for an individual's health and social needs across the continuum of life--compassionate care which serves expectant mothers, infants, children, adults, the disabled and elderly, and also provides love, comfort, and support at the end of life; and*
***WHEREAS**, in-home health and community-based services enable Randolph County's citizens to access a wide variety of quality health and social services, including preventive care, acute care, sustainable long-term care and palliative care; and*
***WHEREAS**, these services include care provided by home health agencies, licensed home care agencies, hospice agencies, adult day care and adult day health care facilities, and home medical equipment companies; and*
***WHEREAS**, in-home health and community-based services build upon a strong tradition of care and compassion, striving to keep families intact and responsible while preserving an individual's independence and dignity in the setting of his choice;*
***NOW, THEREFORE**, the Randolph County Board of Commissioners do hereby proclaim November, 1999 as Home and Hospice Care Month in Randolph County and urge our citizens to celebrate all in-home health and community-based services.*
- *Appoint David Caughron to the Tourism Development Authority (Three-Year Term);*
- *Reappoint Fred deFriess to the Child Fatality Prevention/Community Child Protection Team (Three-Year Term);*
- *Reappoint James Humble (Liberty), Robert Pierce (County), Joe Stone (Archdale), and Michael Walker (Seagrove) to the Water Resources Advisory Board;*
- *Appoint Rev. Kelly Shiflett to the Mental Health Board (Four-Year Term);*
- *Adopt the following resolution:*
***WHEREAS**, violence has increased dramatically in our society and our schools; and*
***WHEREAS**, the passage of new laws to stop violence has had little, if any, beneficial effect and has diminished the personal liberty of law-abiding citizens; and*
***WHEREAS**, the freedom and order can best be maintained if our children are taught to respect the lives, person, and property of others; and*
***WHEREAS**, there is no better code of moral conduct than The Ten Commandments and many of our laws have their origin in The Ten Commandments; and*
***WHEREAS**, the phrase, "separation of church and state" never appears in the Constitution and the Bible was the most frequent source of quotations during the Constitutional Convention.*
***NOW, THEREFORE, BE IT RESOLVED**, that the Randolph County Board of Commissioners, without reservation, supports legislation to display The Ten Commandments in our schools.*
***BE IT FURTHER RESOLVED**, that a copy of this resolution be sent to each U.S. Representative and Senator*

from the great State of North Carolina, and to each North Carolina State Senator and Representative.

Natural Heritage Inventory and Task Force

Kathy Treanor, Executive Director of the Piedmont Land Conservancy, stated that this nine-county organization is a grassroots, non-profit land trust designed to preserve our green spaces in cooperation with the NC Natural Heritage Program. They have conducted natural heritage inventories in all nine counties.

Mary Joan Pugh, NC Zoological Park, reported on the inventory in Randolph County. She said 51 natural heritage sites were found, four of which are of state significance. She requested that a task force be appointed to review the Randolph County Natural Heritage and Heritage Tourism Inventories and to recommend what action to take to protect and enhance these resources.

On motion of Kemp, seconded by Davis, the Board unanimously appointed the following to the Task Force: heritage landowner (Deep River), Eleanor Pugh; heritage landowner (Uwharrie River), Lena Baker and Helen Howell; Randolph County Livestock Association, Wilbert Hancock; Homebuilders Association of Asheboro/Randolph County, Tommy Boyd; mobile home developer, Walker Moffitt; realtor, Aweilda Williams; appraiser, Lee Roberts; hunting clubs, Mike Chisholm; U.S. Forest Service, Tom Horner; Uwharrie Trail Club - Larry Rich; Randolph County Tourism Development Authority, Susan Smith; Randolph County Cooperative Extension Service, Lynn Qualls; Randolph County Soil & Water District, Barton Roberson; N.C. Forest Resources, Steve Pearce; local forester, Dan Edwards (alternate: Bill Smith); local farmer, Bill Johnson; local banker, Jim Culberson (alternate: Brooks Hedrick); Randolph County Economic Development Corporation, Bonnie Renfro; local industry, Klaussner Furniture; Randolph County Historical Society, Mac Whatley; Randolph County Planning, Hal Johnson; Piedmont Land Conservancy, Mary Joan Pugh; Land Trust for Central North Carolina, Jeff Michaels; Parks and Recreation, Allen Oliver.

The Randolph County Planning Department will provide staff to the Task Force.

Uwharrie Trail Resolution

Larry Rich, Uwharrie Trail Club President, asked that the Board adopt a resolution supporting efforts to extend the Uwharrie Trail to its original length and to close the gaps along the trail through the purchase of parcels of land.

On motion of Holmes, seconded by Davis, the Board unanimously adopted the following resolution:

WHEREAS, the Uwharrie Trail in Randolph County was originally conceived and blazed by local citizens and the Uwharrie National Forest is a valuable recreation resource for Randolph County; and

WHEREAS, the Uwharrie Trail and National Forest lands originally provided an uninterrupted corridor of over 50 miles from Tot Hill Farm Road to N.C. 24/27 for hikers and sportsmen to enjoy; and

WHEREAS, the Uwharrie National Forest in Randolph County is fragmented and inaccessible in many areas; and

WHEREAS, the citizens of Randolph County would benefit from a completion of the original Uwharrie Trail and more contiguous National Forest Lands; and

WHEREAS, increasing land development in southern Randolph County requires an increased effort to complete the Uwharrie Trail and provide additional access to recreational opportunities for the citizens of Randolph County.

NOW, THEREFORE, BE IT RESOLVED that the Randolph County Board of Commissioners hereby requests that the U.S. Forest Service seek federal funding to trade and/or acquire parcels of land from willing owners that will again complete the historic length of the Uwharrie Trail and provide more complete and accessible National Forest lands for the citizens of Randolph County to use and enjoy.

Resolution Approving State Appropriation to PTCOG

On motion of Kemp, seconded by Mason, the Board unanimously approved the following resolution:

WHEREAS, Lead Regional Organizations have established productive voluntary working relationships with municipalities and counties across North Carolina; and

WHEREAS, the 1999 General Assembly recognized this relationship through the appropriation of \$990,000 for each year of the biennium to help Lead Regional Organizations assist local governments with grant applications, economic development, community development, and to support local industrial development activities and other activities as deemed appropriate by local governments; and

WHEREAS, these funds are not intended to be used for payment of member dues or assessments to a Lead Regional Organization or to supplant funds appropriated by the member governments; and

WHEREAS, in the event that a request is not made by the Randolph County Board of Commissioners for release of these funds to the Lead Regional Organization, the available funds will revert to State's general fund; and

WHEREAS, in Region G, funds in the amount of \$55,000 will be used to carry out the 1999-2000 Program of Work;

NOW, THEREFORE, BE IT RESOLVED that the Randolph County Board of Commissioners requests the release of its share of these funds, \$8,259.79, to the Piedmont Triad Council of Governments at the earliest possible time in accordance with the provisions of state law.

January Meeting Date

On motion of Holmes, seconded by Davis, the Board unanimously voted to hold their regular January meeting on January 10, 2000.

Budget Amendment - Public Health

MiMi Cooper, Health Director, reported that the County is receiving \$10,000 from the State to work toward benchmarks of certification as a Healthy Carolinians Task Force. She requested that we accept these funds to pay a portion of the salary of the coordinator of the Health Improvement Partnership.

On motion of Kemp, seconded by Holmes, the Board unanimously approved Budget Amendment #16 to the FY 1999-2000 Annual Budget, as follows:

GENERAL FUND - #16	
Revenue	Increase
Restricted Intergovernmental	\$10,000
Appropriation	Increase
Public Health	\$10,000

Budget Amendment - Library

On motion of Davis, seconded by Holmes, the Board unanimously approved Budget Amendment #17 to the FY 1999-2000 Annual Budget, to reflect additional State Aid to Public Libraries funding, as follows:

GENERAL FUND - #17	
Revenue	Increase
Restricted Intergovernmental	\$2,000
Appropriation	Increase
Public Library	\$2,000

Budget Amendment - Social Services

On motion of Davis, seconded by Mason, the Board unanimously approved Budget Amendment #18 to the FY 1999-2000 Annual Budget, to reflect State funding for the Crisis Intervention Program, as follows:

GENERAL FUND - #18	
Revenue	Increase
<i>Restricted Intergovernmental</i>	\$50,000
Appropriation	Increase
<i>Social Services</i>	\$50,000

Budget Amendment - Cooperative Extension

Jane Leonard, Deputy Finance Officer, explained that the Asheboro Housing Authority has asked the Cooperative Extension Agency to provide an after-school enrichment program that will have educational and recreational activities under a contract arrangement. Funds will be used to hire a part-time employee to provide this service.

On motion of Holmes, seconded by Davis, the Board unanimously approved Budget Amendment #19 to the FY 1999-2000 Annual Budget, to reflect acceptance of these funds, as follows, and authorized the County Manager to sign the contract for the County:

GENERAL FUND - #19	
Revenue	Increase
<i>Miscellaneous</i>	\$8,855
Appropriation	Increase
<i>Cooperative Extension</i>	\$8,855

Year 2000 Certificates of Participation (COPS)

Tripp Robinson of Wachovia Securities, underwriter for the 2000 COPS sale, explained that to prepare for the March 2000 COPS financing, the County needs to appoint a trustee and co-managing underwriters. The trustee holds the proceeds of the certificates in a construction fund while the projects are being built, invests the funds at the County's direction, and pays principal and interest payments to the COPS holder. The County received proposals from four institutions who provide this service, and two banks (First Union and Bank of New York) proposed identical fees. Mr. Robinson recommended that First Union be appointed as trustee since they are in Charlotte and already provide services on the County's 1995 COPS financing.

On motion of Davis, seconded by Mason, the Board unanimously appointed First Union as the County's trustee for the Series 2000 COPS financing.

Mr. Robinson stated that the LGC recommends the use of two co-managing underwriters to assist the senior underwriter when the sale of certificates is over \$30 million. He said that Wachovia has teamed up with BB&T Capital Markets and A.G. Edwards & Sons for many COPS sales for other North Carolina counties.

On motion of Kemp, seconded by Holmes, the Board unanimously appointed A.G. Edwards & Sons and BB&T Capital Markets (each to receive 25% of the total transaction) as co-managing underwriters for the Series 2000 COPS financing.

Mr. Robinson informed the Board that his firm plans to use Parker, Poe, Adams & Bernstein in Charlotte as underwriter's counsel for the Series 2000 COPS financing. He reported that even though there are nine

projects, only five of them will be used as collateral for the financing.

Courthouse Project Update

Bill Moser of Moser Mayer Phoenix, architect for the Courthouse project, gave an update on the project. Based on the design team's review of project costs for non-construction items, he requested additional funding for the total project. About 2/3 of these costs include moveable equipment (security, video arraignment, sound systems) and additional building systems (emergency power, additional fire alarm, bailiff communications), totaling \$680,000, that were not included in the schematic design budget from last year. The other 1/3 of the additional project costs are required for miscellaneous expenses associated with maintaining operations during the construction period (demolition and contractor parking at Scott property, offsite parking at County Home, additional offsite parking, asbestos survey/Courthouse, fiber optic relocation, DA & DC Judges rental and related expenses, moving expenses, Kearns' property condemnation), totaling \$343,000. The total additional expense is \$1,023,000.

On motion of Kemp, seconded by Davis, the Board unanimously approved Budget Amendment #20 to the FY 1999-2000 Annual Budget, as follows:

GENERAL FUND #20	
<i>Revenue</i>	<i>Increase</i>
<i>Fund Balance Appropriated</i>	<i>\$873,000</i>
<i>Appropriation</i>	<i>Increase</i>
<i>Public Buildings - Maintenance (Contribution Courthouse Project)</i>	<i>\$873,000</i>

On motion of Kemp, seconded by Davis, the Board unanimously approved Budget Amendment #1 to the Courthouse Capital Project Ordinance, as follows:

COURTHOUSE CAPITAL PROJECT ORDINANCE #1	
<i>Revenue</i>	<i>Increase</i>
<i>Contribution from General Fund</i>	<i>\$873,000</i>
<i>Interest Earned</i>	<i>\$120,000</i>
<i>Sales Tax Reimbursement</i>	<i>\$30,000</i>
<i>Appropriation</i>	<i>Increase</i>
<i>Project Construction & Renovation</i>	<i>\$1,023,000</i>

Rezoning Public Hearing

At 6:30 p.m. the Board adjourned to a duly advertised public hearing to consider rezoning requests. Hal Johnson, Planning and Zoning Director, presented the following requests:

1. WORTH HEATH, Randleman, is requesting that 35.96 acres on Bull Run Creek Road, Providence Township, be rezoned from RA to RR/CU to allow a 33-lot subdivision for site-built, modular, or Class A double-wide mobile homes with masonry underpinning. The Planning Board unanimously recommended denial because of concerns about density and distance from water and sewer.

Mr. Johnson reported that Mr. Heath now has a new proposal of RE/CU for 21 lots for site-built or

modular homes only.

Jon Megerian, attorney for Mr. Heath, stated that the two concerns of the Planning Board, density and mobile homes, have been addressed and that the new request is a reasonable request that should be granted. Otherwise, there would be no development, and that is not an option.

Mac Whatley, attorney speaking on behalf of neighbors opposing this request, stated that this development would drastically change the area and is wholly inappropriate for this area, where there are no subdivisions within a one-mile radius. He said the County's growth management plan shows this as a rural conservation area.

Mark Comfort, 3994 Bethany Church Road, Franklinville, said the proposed use would injure the surrounding area and destroy their neighborhood.

Sam Pugh, 2062 Mamie May Road, said this is a farming community with pastures, crops, timber, and chicken houses and appealed to the Board not to set a precedent by approving this request.

C.H. Graham, Jr., 4092 Bull Run Creek Road, adjoining property owner, said work had already begun on this property and that workers had come onto his property and damaged some of his trees. He said that a bus would not stop at this point along the road because visibility distance is not great enough.

Larry Routh, 1902 Mamie May Road, said there is already a great deal of traffic on Bull Run Creek Road because it is used as a shortcut.

Mark Comfort stated that North Carolina is second in the country for converting farmland to development. He presented a petition of 300 signatures from those within a 5-mile radius. Approximately 30-40 people stood in opposition to this request.

Tom Pugh, adjoining property owner, had concerns about septic tank runoff going into Polecat Creek, Randleman's water supply.

Chairman Frye closed the public hearing.

On motion of Holmes, seconded by Mason, the Board unanimously denied the request of Worth Heath.

2. **ROBERT WILSON**, High Point, is requesting that 7.31 acres on Albertson Road, Trinity Township, be rezoned from RA to LI/CU to allow leather sales/distribution in a 23,000 sq. ft. warehouse/office to be constructed on site, with a 20 ft. buffer on side property lines and 50 ft. buffer on rear property line. The Planning Board unanimously recommended approval.

Chairman Frye opened the public hearing.

Billy Ransom, adjoining property owner, said traffic is a problem and the road is too narrow.

Chairman Frye closed the public hearing.

On motion of Frye, seconded by Davis, the Board unanimously approved the request of Robert Wilson.

3. **CHRISTINA BROWN**, Ramseur, is requesting that 1 acre (out of 2.1 acres) on Hwy 49 North, Columbia

Township, be rezoned from RM to HC/CU to allow an auto sales lot for sale of 15 to 20 vehicles and a 40 x 60 repair garage to be constructed on site. The Planning Board unanimously recommended denial.

Chairman Frye opened the public hearing.

Roger Brown, applicant, said there are 8 businesses along this section of Hwy 49. He said he will have a nice building (40 x 30, not 40 x 60) with a 6 ft. fence around it and that there will be no junk cars on the lot. He asked that an evergreen buffer along the east and south borders be considered a condition of his request.

Lee McQueen, McQueen Road, voiced concerns about contaminated soil from leaking oil, gas, and transmission fluid that would ultimately contaminate his well.

Jean McQueen, McQueen Road, stated that Mr. Brown's other business location and house are a disgrace because they are not kept cleaned off. She presented a petition with 64 signatures opposing this request.

Chairman Frye closed the public hearing.

On motion of Mason, seconded by Holmes, the Board approved the request of Christina Brown by a 3 to 2 vote, with the conditions that a 6 ft. chainlink fence be erected around the property with a permanent evergreen buffer on the outside of the fence on the eastern and southern sides, and no junk vehicles (as defined by the Randolph County Junk Vehicle Ordinance) to be kept on the property. Commissioners Frye and Kemp opposed this motion.

4. WARREN LOVIN, Climax, is requesting that 1.1 acre (out of 2.4 acres) at 4630 Sylvan Oaks Road, Providence Township, be rezoned from RR to RA/CU to allow a Class B mobile home on the property for a family member. The Planning Board unanimously recommended denial.

Chairman Frye opened the public hearing.

Greg Spurlin, 4644 Sylvan Oaks, presented a petition opposing this request. He said there was a mobile home there a long time ago when the property owner's mother had nowhere else to go. There was a written agreement that she could go in a mobile home there but that it would be removed when she no longer could live there.

Chairman Frye closed the public hearing.

On motion of Davis, seconded by Holmes, the Board unanimously denied this request.

5. STEVE GORDON, High Point, is requesting that 4.89 acres on Prospect Street, Trinity Township, be rezoned from RA to HC/CU to allow automobile sales/service, with a request to develop 70% of the watershed coverage area. The Planning Board unanimously recommended approval.

Chairman Frye opened the public hearing.

Joe Humble, 218 Gatewood Avenue, said that Mr. Gordon currently has a site 1/4 mile away and needs a place to show his cars.

Chairman Frye closed the public hearing.

On motion of Mason, seconded by Davis, the Board unanimously approved the request of Steve Gordon.

6. EDWARD RICH, Asheboro, is requesting that 2.5 acres on Mack Road, Cedar Grove Township, be rezoned from RA and HC to RA/CU for a planned unit development to place a third residence on the property for rental purposes. The Planning Board unanimously recommended approval.

Chairman Frye opened the public hearing.

Ed Rich, 1632 Mack Road, said several businesses have been located there but that he doesn't want to deal with a business building; he just wants to put a mobile home there.

Chairman Frye closed the public hearing.

On motion of Kemp, seconded by Holmes, the Board unanimously approved the request of Edward Rich.

7. Barbara Lowe, Liberty, is requesting that 16.7 acres on Old 421 Road, Columbia Township, be rezoned from RA to HC/CU for the operation of a mobile home sales/service lot. The Planning Board unanimously recommended approval.

Chairman Frye opened the public hearing. No one spoke, and he closed the public hearing.

On motion of Holmes, seconded by Kemp, the Board unanimously approved the request of Barbara Lowe.

The meeting adjourned at 9:00 p.m.

Darrell L. Frye, Chairman

Phil Kemp

J. Harold Holmes

Robert B. Davis

Robert O. Mason

Alice D. Dawson, Clerk to the Board